

REMARKS

The present amendment is submitted in response to the Office Action dated March 31, 2009, which set a three-month period for response, making this amendment due by June 30, 2009.

Claims 1-10 are pending in this application.

In this amendment, Claims 1 and 9 have been amended. Also, the specification has been amended to include proper headings.

In the Office Action, Claims 9 and 10 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Particularly, Claim 9 was rejected as being indefinite for reciting the limitation "the second PC control unit". Claim 9 has been amended to overcome this rejection.

Further, Claims 1-7 were rejected under 3 U.S.C. 102(b) as allegedly being anticipated by Hohner et al., U.S. 5,437,044. Claims 8-10 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Hohner et al.

Turning now to the merits, the applicant respectfully disagrees with the Examiner's rejection of Claim 1, and the claims, directly or indirectly, dependent thereon, as being anticipated by the Hohner et al. reference. Nevertheless, and in an effort to better define the present invention over the cited prior art and to narrow the issues in this case, applicant has amended independent Claim 1. Specifically, Claim 1 now further recites "the keys (T1 through Tn) being electrically connected directly to one of the SPS inputs (9) at the same time that the personal computer (PC) is coupled to the SPS" in order to better define the fact that both the keys and the personal computer are simultaneously coupled to

the SPS. Support for the newly added feature of the independent claim can be found in the specification on page 6, lines 30-34.

The cited reference to Hohner et al. neither discloses nor suggests, as in pending Claim 1, a device in which both the keys (T1 through Tn) and the personal computer (PC) are simultaneously coupled to the SPS. In fact, Hohner et al. only discloses a situation where either the keys via plug 15 are (i.e. in Hohner et al., operating unit 12) or the personal computer via plug 17 (i.e. in Hohner et al., programming device 19) is connected to the single SPS plug socket 11 (see Hohner et al. col. 3, line 67 – col. 4, line 12). This is unlike the present invention in which the keys and the personal computer are both simultaneously connected to the SPS, which uniquely and advantageously precludes signal losses on tripping machine functions and economizes on hardware.

Because Claim 1 includes features that are not disclosed by the cited reference, applicant believes that the rejections under Section 102 and Section 103 must be withdrawn, placing Claim 1 in a condition for allowance. The Applicant furthermore respectfully submits that Hohner et al. is not a proper reference under 35 USC 102 pursuant to the guidelines set forth in the last paragraph of MPEP section 2131, where it is stated that “a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference”, and that “the identical invention must be shown in as complete detail as is contained in the ... claim”.

Likewise, Claims 2-10, being, directly or indirectly, dependent upon Claim 1, and share the allowable features, are also in a condition for allowance.

The application in its amended state is believed to be in condition for allowance. Action to this end is courteously solicited. Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael J. Striker', with a long horizontal flourish extending to the right.

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